	Honorable Judge Benjamin H. Settle
WESTERN DISTRIC	DISTRICT COURT OF WASHINGTON
	COMA
	NO. C11-5424 BHS
Plaintiff,	[PROPOSED] ORDER GRANTING
	DEFENDANTS' RENEWED MOTION FOR JUDGMENT AS A MATTER OF
SERGEANT MICHAEL DAVIDSON,	LAW AND IN THE ALTERNATIVE MOTION FOR NEW TRIAL
Defendants.	
THIS MATTER having come on regu	larly for hearing on Defendants Davidson and
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alternative, move for a new trial pursuant to FR	CP 59(a)(1)(A), and the Court having reviewed
the record herein and, to the extent deemed in	relevant and admissible, reviewed the material
submitted by the parties concerning this motion	, including:
1. Defendants Davidson and Krau	use's motion for judgment as a matter of law
pursuant to FRCP 50(b) and, in the alternati	ve, motion for a new trial pursuant to FRCP
59(a)(1)(A);	
2. Plaintiff's Response to Defendar	nts Davidson and Krause's motion for judgment
•	,
as a matter of law pursuant to FRCP 50(b) and	a, in the alternative, for a new trial pursuant to
FRCP 59(a)(1)(A), if any; and	
	WESTERN DISTRICAT TA CLYDE RAY SPENCER,  Plaintiff,  V.  DETECTIVE SHARON KRAUSE, and SERGEANT MICHAEL DAVIDSON,  Defendants.  THIS MATTER having come on regu  Krause's motion for judgment as a matter alternative, move for a new trial pursuant to FR the record herein and, to the extent deemed resubmitted by the parties concerning this motion  1. Defendants Davidson and Kraupursuant to FRCP 50(b) and, in the alternation 59(a)(1)(A);  2. Plaintiff's Response to Defendance as a matter of law pursuant to FRCP 50(b) and.

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1	3. Defendant Davidson's Reply in Support of motion for judgment as a matter of
2	law pursuant to FRCP 50(b) and, in the alternative, for a new trial pursuant to FRCP
3	59(a)(1)(A); and being fully advised, now, therefore,
4	IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants
5	Davidson and Krause's motion for judgment as a matter of law pursuant to FRCP 50(b) and, in
6	the alternative, for a new trial pursuant to FRCP 59(a)(1)(A) is granted and
7	granica and pursuant to 11th control in granica and
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10	DATED this day of March, 2014.
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12   13	THE HONORABLE BENJAMIN H. SETTLE
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14	U.S. District Court Judge
14   15	Presented by:
15	Presented by:  s/Jeffrey A. O. Freimund
	Presented by:  s/Jeffrey A. O. Freimund  JEFFREY A. O. FREIMUND, WSBA No. 17384  Freimund Jackson Tardif & Benedict Garratt, PLLC
15 16	Presented by:  s/Jeffrey A. O. Freimund JEFFREY A. O. FREIMUND, WSBA No. 17384 Freimund Jackson Tardif & Benedict Garratt, PLLC 711 Capitol Way South, Suite 602 Olympia, WA 98502
15 16 17 18	Presented by:  s/Jeffrey A. O. Freimund  JEFFREY A. O. FREIMUND, WSBA No. 17384  Freimund Jackson Tardif & Benedict Garratt, PLLC  711 Capitol Way South, Suite 602  Olympia, WA 98502  Telephone: (360) 534-9960  Fax: (360) 534-9959
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15   16   17   18   19   20   21   22	Presented by:  s/Jeffrey A. O. Freimund JEFFREY A. O. FREIMUND, WSBA No. 17384 Freimund Jackson Tardif & Benedict Garratt, PLLC 711 Capitol Way South, Suite 602 Olympia, WA 98502 Telephone: (360) 534-9960 Fax: (360) 534-9959 jefff@fjtlaw.com Attorney for Defendant Michael Davidson  s/ Guy Bogdanovich GUY BOGDANOVICH, WSBA No. 14777 Law, Lyman, Daniel, Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98508-1880 Telephone: (360) 754-3480
15   16   17   18   19   20   21   22   23	Presented by:  s/Jeffrey A. O. Freimund JEFFREY A. O. FREIMUND, WSBA No. 17384 Freimund Jackson Tardif & Benedict Garratt, PLLC 711 Capitol Way South, Suite 602 Olympia, WA 98502 Telephone: (360) 534-9960 Fax: (360) 534-9959 jefff@fjtlaw.com Attorney for Defendant Michael Davidson  s/ Guy Bogdanovich GUY BOGDANOVICH, WSBA No. 14777 Law, Lyman, Daniel, Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98508-1880

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Telephone: (360) 534-9960 Facsimile: (360) 534-9959

1	CERTIFICATE OF SERVICE
2 3	I hereby certify that on March 3, 2014, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:
4	Douglas H. Johnson, Attorney Pro Hac Vice for Plaintiff Clyde Ray Spencer
5	dhjohnson43@aol.com Kathleen T. Zellner, Attorney Pro Hac Vice for Plaintiff Clyde Ray Spencer kathleen.zellner@gmail.com
6 7	Daniel T. Davies, Attorney for Plaintiff Clyde Ray Spencer dandavies@dwt.com
8	_s/Kathrine Sisson
9	KATHRINE SISSON Legal Assistant to
10	JEFFREY A. O. FREIMUND, WSBA No. 17384 Freimund Jackson & Tardif, PLLC
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12	Telephone: (360) 534-9960 Fax: (360) 534-9959
13	jeffF@fjtlaw.com Attorney for defendant Michael Davidson
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